

**Adjutant General, including the National Guard and the Department of Emergency Services**  
**Budget No. 540**  
**Senate Bill Nos. 2016 and 2394**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 legislative appropriation	233.00	\$26,391,648 <sup>1</sup>	\$344,504,073	\$370,895,721 <sup>3</sup>
2021-23 legislative appropriation	<u>222.00</u>	<u>44,888,888<sup>2</sup></u>	<u>180,078,954</u>	<u>224,967,842</u>
2023-25 appropriation increase (decrease) to 2021-23 appropriation	11.00	(\$18,497,240)	\$164,425,119	\$145,927,879

<sup>1</sup>This amount includes \$1,730,000 of one-time funding. Excluding this amount, the agency's ongoing general fund appropriation is \$24,661,648.

<sup>2</sup>This amount includes \$22,006,656 of one-time funding. Excluding this amount, the agency's ongoing general fund appropriation is \$22,882,232.

<sup>3</sup>This amount does not include any transfers of appropriation authority from the Office of Management and Budget funding pools for targeted market equity adjustments, retirement contribution increases, or new and vacant FTE positions.

**Item Description**

**Full-time equivalent changes** - The Legislative Assembly approved 233 FTE positions for the Adjutant General for the 2023-25 biennium, an increase of 11 FTE positions from the 2021-23 biennium authorized level of 222 FTE positions. The Legislative Assembly added the following FTE positions:

- 1 FTE operations and training manager position
- 1 FTE watch center manager position
- 4 FTE watch center analyst positions (2 FTE positions are unfunded)
- 1 FTE dashboard technician position
- 1 FTE physical plant director position
- 1 FTE maintenance supervisor II position
- 1 FTE general trades maintenance position
- 1 FTE National Guard security position

**Targeted market equity** - The Legislative Assembly appropriated \$82.5 million, of which \$45.1 million is from the general fund, to the Office of Management and Budget for a targeted market equity pool to be distributed to state agencies.

**New and vacant FTE funding pool** - The Legislative Assembly reduced the 2023-25 biennium appropriation authority for the Adjutant General by \$3,694,230, including \$1,870,255 from the general fund and \$1,823,975 from other funds, for the new and vacant FTE funding pool. The reduction included \$1,346,386 for new FTE positions and \$2,347,844 for estimated vacant salary savings.

**One-time funding** - The following is a summary of one-time funding items for the Adjutant General for the 2023-25 biennium:

**Status/Result**

The operations and training manager position, the watch center manager position, and one watch center analyst position were filled in August 2023. The dashboard technician position and the remaining three watch center analyst positions were filled in October 2023. The Adjutant General anticipates filling the physical plant director position, the maintenance supervisor II position, and general trades maintenance position in early 2025. The National Guard security position remains vacant.

In addition, the Adjutant General has reclassified 12 FTE positions this biennium. Six of the reclassifications were due to watch center requirements, two were part of a reorganization within state radio, one skilled trade position was moved into the modified wage scale, and the remaining reclassifications were based on job duties.

The Adjutant General received \$1,720,930, including \$843,519 from the general fund and \$877,411 from other funds, for targeted market equity increases. Equity increases were provided to 140 employees.

Through January 2024, the Adjutant General has received \$909,060, of which \$822,187 is from the general fund, from the new and vacant FTE funding pool to fill new FTE positions and had estimated vacant FTE position savings of \$968,744. The office used \$143,955 of the savings for other purposes, including accrued leave payouts, extra salary increases, bonuses, reclassifications, temporary salary funding, and overtime funding. The number of vacancies in the office has ranged from 25 to 12 with an average monthly vacancy rate of 17.86 FTE positions.

The following is a summary of the status of the Adjutant General's one-time funding:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Accrued leave payouts for retirements	\$100,000	\$175,000	\$275,000
Statewide interoperable radio network equipment (federal State Fiscal Recovery Fund)		2,700,000	2,700,000
Camp Grafton fitness facility project (State Fiscal Recovery Fund)		9,000,000	9,000,000
Dickinson Readiness Center (State Fiscal Recovery Fund)		8,900,000	8,900,000
Maintenance and repairs	1,000,000		1,000,000
Minot hangar	60,000		60,000
Safeguarding Tomorrow through Ongoing Risk Mitigation (disaster relief fund)		1,000,000	1,000,000
State Radio console replacement	150,000		150,000
Disaster response equipment (federal funds)		660,000	660,000
Cybersecurity grants	314,000		314,000
Disaster grants (federal funds and disaster relief fund)		142,652,500	142,652,500
Flood mitigation grant to City of Marion (disaster relief fund)		225,000	225,000
Natural disaster response and recovery grants (disaster relief fund)		2,000,000	2,000,000
Camp Grafton training center billets (State Fiscal Recovery Fund - contingent appropriation)		5,300,000	5,300,000
Snow removal grants	106,000		106,000
<b>Total</b>	<b>\$1,730,000</b>	<b>\$172,612,500</b>	<b>\$174,342,500</b>

Accrued leave payouts for retirements	Through February 2024, \$31,779 has been spent on accrued leave payouts for retirements.
Statewide interoperable radio network equipment	The Adjutant General has spent \$896,172 on 120 radios and firmware updates through February 2024. The Adjutant General anticipates spending the remaining funds on a state interoperable radio network console, aircraft programming, cables, radio case installs, and accessories.
Camp Grafton fitness facility project	Through February 2024, \$197,271 has been spent on this project. The fitness facility has an anticipated completion date of November 2025. The agency anticipates requesting an exemption to continue this funding into the 2025-27 biennium.
Dickinson Readiness Center	As of February 2024, \$5,479,904 has been spent on this project, including \$449,584 of one-time funding and \$5,030,320 of carryover authority. The Dickinson Readiness Center has an anticipated completion date of June 2025 and the agency anticipates requesting carryover authority in case the project takes longer than anticipated.
Maintenance and repairs	As of February 2024, \$495,895 has been spent on eight different maintenance projects. The Adjutant General anticipates spending the entire appropriation during the 2023-25 biennium.
Minot hangar	The Adjutant General spent \$51,273 on the purchase of the hangar and its insurance.
Safeguarding Tomorrow through Ongoing Risk Mitigation	Through February 2024, the Adjutant General has not spent any funding on the program. The Adjutant General is currently waiting on the Federal Emergency Management Agency for approval of applications. The Adjutant General anticipates spending the entire appropriation by the end of the biennium.
State Radio console replacement	A request for proposal was issued on April 3, 2024, and the agency anticipates that all work will be completed during the summer of 2024. As of April 2024, the Adjutant General anticipates requesting transfer authority from the Emergency Commission to complete the purchase.
Disaster response equipment	Through February 2024, the Adjutant General has spent \$27,900 to purchase a forklift for the Department of Emergency Services warehouse.
Cybersecurity grants	As of February 2024, the Adjutant General has allocated \$313,964 to local projects and spent \$44,432. The Adjutant General anticipates requesting carryover authority to continue these funds into the 2025-27 biennium.

Disaster grants	Through April 2024, the Adjutant General has not spent any of the appropriation. The agency expects that this funding will be utilized during the biennium.
Flood mitigation grant to City of Marion	The City of Marion is in the process of obtaining permits, and construction will begin soon. The Adjutant General plans to spend all the funding during the 2023-25 biennium.
Natural disaster response and recovery grants	Through February 2024, the Adjutant General has spent \$30,919 in response to the ice jams on the Missouri River in early 2024. The Adjutant General does not anticipate requesting carryover authority for any unspent funds.
Camp Grafton training center billets	As of April 2024, the Adjutant General has not spent any of this funding as it has not met the contingency that at least \$5.3 million of federal funding other than from the State Fiscal Recovery Fund is available and will be used for the Dickinson Readiness Center project.
Snow removal grants	The Adjutant General provided \$105,277 to three political subdivisions--the City of Carson, City of Edgeley, and Wells County.

**Other carryover items** - The Legislative Assembly, in Section 12 of Senate Bill No. 2016, provided exemptions allowing the Adjutant General to continue unspent appropriation authority into the 2023-25 biennium relating to the following programs:

- Computer-aided dispatch equipment
- Tuition, recruiting, and retention
- Fraine Barracks automation system
- Dickinson Readiness Center
- Line of communication bridge training site
- Camp Grafton expansion
- Defraying COVID-19 and other expenses
- State active duty software and maintenance
- Enhancing housing at Camp Grafton

The following is a summary of the status of the Adjutant General's carryover funding:

Computer-aided dispatch equipment	The Adjutant General continued \$260,780 from the strategic investment and improvements fund. Through April 2024, the Adjutant General has not spent any of the funds and anticipates spending the funding in the fall of 2024.
Tuition, recruiting, and retention	The Adjutant General continued \$1,932,222 from the general fund for tuition, recruiting, and retention and has spent \$668,670 on tuition costs through February 2024.
Fraine Barracks automation system	The Adjutant General spent the funds for this project prior to the start of the biennium.
Dickinson Readiness Center	The Adjutant General continued \$15.5 million from federal funds for the construction of the Dickinson Readiness Center. See the <b>One-time funding</b> section above for additional information.
Line of communication bridge training site	The Adjutant General continued \$5,900,028 from federal funds for the line of communication bridge training site. Through February 2024, the Adjutant General has spent \$3,600,000 on the line of communication bridge training site.
Camp Grafton Expansion	The Adjutant General continued \$1,606,300 from the National Guard training area and facility development trust fund. Through February 2024, the Adjutant General has spent \$20 on the Camp Grafton expansion
Defraying COVID-19 and other expenses	All amounts remaining for the purpose of defraying COVID-19 and other expenses have been spent.

State active duty software and maintenance	The Adjutant General continued \$177,690 of federal funds for replacing the state active-duty software and maintenance for the system. The Adjutant General anticipates spending \$100,000 during the 2023-25 biennium and requesting carryover authority to continue the remaining funding into the 2025-27 biennium.
Enhanced housing at Camp Grafton	The Adjutant General spent the \$2 million appropriated for the 2021-23 biennium prior to the start of the 2023-25 biennium.

**Dakota Access Pipeline response** - The Adjutant General received authority to borrow \$43 million from the Bank of North Dakota for expenses relating to unlawful activity associated with the construction of the Dakota Access Pipeline (DAPL) as follows:

September 21, 2016, Emergency Commission meeting	\$6,000,000
November 1, 2016, Emergency Commission meeting	4,000,000
November 30, 2016, Emergency Commission meeting	7,000,000
House Bill No. 1024 (2017)	10,000,000
Senate Bill No. 2174 (2017)	11,000,000
September 25, 2017, Emergency Commission meeting	5,000,000
<b>Total</b>	<b>\$43,000,000</b>

**Emergency Commission approvals** - The Adjutant General has received Emergency Commission approval to accept and spend funds relating to various disasters and emergencies.

**Deficiency appropriation requests** - As identified in the **Emergency Commission approvals** and **Dakota Access Pipeline response** sections above, the Adjutant General has received approval to borrow from the Bank for various disasters and emergency programs.

The Adjutant General received \$10,000,000 from the federal government for repayment of DAPL response loans. Energy Transfer Partners paid an additional \$15,000,000 directly to the Bank for repayment of Adjutant General DAPL response loans. As of April 10, 2024, the Adjutant General has outstanding DAPL response loans totaling \$13,400,000 and anticipates \$1,848,784 of interest accruing by the end of the biennium. The Attorney General has filed a lawsuit against the federal Army Corps of Engineers seeking reimbursement for the state for the DAPL response costs. As of April 2024, the case continues to be heard and no judgement has been reached.

The Adjutant General received 2023-25 biennium spending and borrowing authority from the Emergency Commission for the following items:

- Approval in September 2023 for \$7,425,000 of federal funds spending authority and to accept and spend \$1,170,000 from Bank of North Dakota loans relating to flooding in the spring of 2023.
- Approval in September 2023 for \$111,380 of state contingency funds for discrepancies identified in snow removal grants authorized in Senate Bill No. 2183.
- Approval in September 2023 for \$515,000 of federal funds relating to the construction of a bridge training site at Camp Grafton.
- Approval in September 2023 for \$5,300,000 of federal funds relating to the construction of the Dickinson Readiness Center.
- Approval in September 2023 for \$2,000,000 of federal funds relating to the construction of the Camp Grafton fitness facility.
- Approval in March 2024 for \$21,780,000 of federal funds spending authority and to accept and spend \$3,432,000 from Bank of North Dakota loans relating to the severe winter ice storm in December 2023.

The Adjutant General anticipates requesting deficiency appropriations totaling approximately \$17,057,949 from the 2025 Legislative Assembly for the repayment of Bank of North Dakota loans related to the Emergency Management Assistance Compact response (\$1,688,177), DAPL unlawful activity response (\$13,362,262), and interest (\$2,007,510).